## STAFF REPORT

|  |  |  |  |
| --- | --- | --- | --- |
| **Agenda Item:** | 7 | **Name:** | Jenny Ngo |
| **Proposed No**.: | 2021-0287 | **Date:** | September 28, 2021 |

**SUBJECT**

A motion requesting that the Executive review home occupation and home industry regulations and submit a report.

**SUMMARY**

Proposed Motion 2021-0287 would request the Executive to review home occupation and home industry regulations and update as necessary to account for workforce and business operation changes related to the COVID-19 pandemic. The motion requests the Executive prepare a report that summarizes the review and any recommended code changes within 6 months of the effective date of the motion.

**BACKGROUND**

Home occupations and home industries are limited-scale businesses that operate from a residential property. Home occupations and home industries may operate within a residence or an accessory building, such as a garage or shed, but are secondary and subordinate to the primary residential use. Home occupations and home industries are defined in King County Code (K.C.C.) chapter 21.06 as follows:

***21A.06.605  Home industry.****Home industry:  a limited-scale sales, service or fabrication activity undertaken for financial gain, which occurs in a dwelling unit or residential accessory building, or in a barn or other resource accessory building and is subordinate to the primary use of the site as a residence.*

***21A.06.610  Home occupation.****Home occupation:  a limited-scale service or fabrication activity undertaken for financial gain, which occurs in a dwelling unit or accessory building and is subordinate to the primary use of the site as a residence.*

K.C.C. chapter 21A.30 regulates home occupations and home industries through lot size, number of employees, size of businesses, setbacks, hours, customer visits and other limitations. Table 1 below summarizes the some of the zoning standards for home occupations and home industries.[[1]](#footnote-1)

**Table 1 – Home Occupation and Home Industry Standards**

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Home Occupation**  **R, UR, NB, CB and RB zones** | **Home Occupation**  **A, F, RA zones** | **Home Industry**  **All zones** |
| Total Floor Area | 20% of dwelling unit, plus accessory buildings | 20% of dwelling unit, plus accessory buildings | 50% of dwelling unit, plus accessory buildings |
| Number of businesses | One or more | One or more | One |
| Outdoor activities | Indoor, except growing or storing of plants | Lot size <1 acre: 440sf  Lot size >1 acre: 1% of lot, up to 5,000 sf  Screening and setbacks required | No limit, screening and setbacks required |
| Employees | 1 nonresident employee;  No limit off-site | 3 nonresident employees on-site at same time;  No limit off-site | 6 nonresident employees |
| Parking | 1 stall per nonresident employee,  1 stall for patrons | 1 stall per nonresident employee,  1 stall for patrons | 1 stall for each nonresident employee;  1 stall for customers, plus 1 stall per 1,000 sf of floor area plus 1 stall per 2,000 sf of outdoor area |
| Customer visits | Arranged by appointment,  8am-7pm M-F,  9am-5pm Sa-Su | 8am-7pm M-F,  9am-5pm Sa-Su | Hours determined during permit review |
| Prohibited uses | * Automobile, truck and heavy equipment repair * Auto body work or painting * Parking and storage of heavy equipment * Storage of building materials for use on other properties * Hotels, motels or organizational lodging * Dry cleaning * Towing services * Trucking, storage or self service * Veterinary clinic * Recreational marijuana processor, producer or retailer * Winery, brewery, distillery, remote tasting rooms | * Hotels, motels or organizational lodging * Dry cleaning * Automotive towing services, automotive wrecking services and tow-in parking lots * Recreational marijuana processor, producer or retailer * Winery, brewery, distillery, remote tasting rooms | * Recreational marijuana processors, producers and retailers * Winery, brewery, distillery, remote tasting rooms |

**ANALYSIS**

If approved, Proposed Motion 2021-0287 would request the Executive to review home occupation and home industry regulations and update as necessary to account for workforce and business operation changes related to the COVID-19 pandemic. The Executive is to prepare a report that summarizes the review and any recommended code changes within 6 months of the effective date of the motion.

The motion identifies the COVID-19 pandemic as well as remote work, technological advances and changing consumer preferences as issues that have not been contemplated in home occupation and home industry regulations. The motion identifies several topic areas that should be addressed within the study. An analysis should be completed to review existing uses that are permitted and prohibited under a home occupation permit or a home industry permit in light of current business practices. Similarly, the standards for a home occupation permit or a home industry permit, such as those identified in Table 1, should be reviewed for consistency with current business practices. Lastly, the motion requests a review of whether any changes are required for remote work and employer work from home policies.

**INVITED**

* Jim Chan, Department of Local Services Division Director

**ATTACHMENTS**

1. Proposed Motion 2021-0287

1. The complete set of standards can be found for home occupations in the R, UR, NB, CB and RB zones in K.C.C. 21A.30.080, home occupations in the A, F and RA zones in K.C.C. 21A.30.085, and home industries in all zones in K.C.C. 21A.30.090 [↑](#footnote-ref-1)